

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE MUNICIPAL DERIVATIVES
ANTITRUST LITIGATION

MDL No. 1950

Master Docket No. 08-02516 (VM) (JCF)

DECLARATION OF MAGDA M. JIMENEZ TRAIN

Magda M. Jimenez Train, an attorney duly admitted to practice in the courts of the State of New York, hereby affirms under penalty of perjury:

1. I am a partner at the law firm of Boies, Schiller & Flexner LLP, interim co-lead counsel to Plaintiffs. I submit this Declaration in support of Plaintiff's Opposition To Antitrust Division's Motion For a Stay of Discovery, dated May10, 2008.

2. A true and correct copy of the transcript from a hearing in this case, Master Docket No. 08-02516 held before Judge Marrero on May 22, 2009 is attached as Exhibit B.

3. A true and correct copy of the news article by Jonathan Stempel, *Top Cop: SEC May Not Delay Civil Cases*, Reuters, May 4, 2010 obtained from the Reuter's Internet web site on May 10, 2010 is attached as Exhibit C.

4. A true and correct copy of a Letter to Judge Marrero from Rebecca Meiklejohn, dated February 17, 2010 appearing as Docket entry number 35, *United*

States v. Rubin/Chambers Dunhill Ins. Serv., Inc. et al., No. 09-CR-1058 (“CDR”) (entered into the docket Feb. 23, 2010) is attached as Exhibit D.

5. A true and correct copy of Ianthe Jeanne Dugan, *States Bristle as Investors Make Wagers on Defaults*, Wall Street Journal, Apr. 27, 2010, (print location page C1) a news article obtained from the Wall Street Journal’s Internet web site is attached as Exhibit E.

6. A true and correct copy of William Selway and Martin Z. Braun, U.S. Subpoenas Muni Firms, Seizes Papers in Probe (Update1), Bloomberg News, Nov. 16, 2006, obtained from the Internet web site “Bloomberg.com” is attached as Exhibit F.

7. A true and correct copy of Memorandum Of Law In Support Of Defendants’ Joint Motion For Immediate And Preliminary Relief In The Form Of A Bill Of Particulars, *CDR*, No. 09-CR-1058 (Mar. 24, 2010) is attached as Exhibit G.

8. A true and correct copy of Declaration of Robert Decicco Regarding EDiscovery [sic] Costs, submitted by defense counsel in *CDR* as Exhibit A to their above-mentioned motion filed March 24, 2010, is attached as Exhibit H.

9. A true and correct copy of *Four In One Company, Inc. v. SK Foods, LP*, No. 08-03017, Docket No. 96 (E.D. Cal. Apr. 28, 2009), an unpublished Stipulation and [Proposed] Order, entered into and signed among the parties in that litigation, and entered onto the Eastern District of California’s docket (unsigned by the court), is attached as Exhibit I.

10. A true and correct copy of *In re Aftermarket. Lighting Products Antitrust Litig.*, No. 09-02007, Docket No. 54 (C.D. Cal. Apr. 20, 2009), an unpublished Order, is attached as Exhibit J.

11. A true and correct copy of *In re TFT-LCD (Flat Panel) Antitrust Litig.*, MDL No. 1827, Master File No. M:07-1827 (N.D. Cal. May 27, 2008), an unpublished Order, is attached as Exhibit K.

12. A true and correct copy of both (1) *In re Cathode Ray Tube (CRT) Antitrust Litig.* No. 07-05944, Docket No. 379 (N.D. Cal. Sept. 12, 2008), and (2) *In re Cathode Ray Tube (CRT) Antitrust Litig.*, No. 07-05944, Docket No. 425 (N.D. Cal. Feb. 5, 2009), unpublished Orders, are attached as Exhibit L.

13. A true and correct copy of a Hearing Transcript, In re Static Random Access Memory (SRAM) Antitrust Litig., Case No. M:07-cv-1819 CW (N.D. Cal. June 01, 2007), is attached as Exhibit M.

14. A true and correct copy of Robert J. Bloch, *How To Respond to a Criminal Antitrust Investigation: A Practical Approach in Today's Enforcement Environment*, A.B.A. Sec. Antitrust, Sixth Ann. Int'l Cartel Workshop (Feb. 2006) is attached as Exhibit N.

15. A true and correct copy of Letter of Michael Hausfeld to Joseph Wayland, dated April 8, 2010 is attached as Exhibit O.

16. A true and correct copy of William Selway & Martin Z. Braun, *JPMorgan, Lehman, UBS Named in Bid-Rigging Conspiracy (Update1)*, Bloomberg News, Mar. 26, 2010, produced from the "Bloomberg.com" Internet web site is attached as Exhibit P.

17. Interim Co-Lead Counsel for Plaintiffs have filings obtained at various times from the Financial Industry Regulatory Authority (FINRA). Interim co-lead counsel for Plaintiffs have copies of FINRA filings from at least eleven individuals (or

their current or former firms) publicly disclosing that those individuals have received letters from the Department of Justice notifying them that they are targets of a grand jury investigation being conducted in the Southern District of New York concerning antitrust and other violations involving contracts related to municipal bonds. They include: Peter Ghavami (Nov. 30, 2007), Peter Grimm (November 30, 2007), Samuel Gruer (Nov. 30, 2007), James Hertz (Dec. 1, 2007; Dec. 12, 2007), Douglas MacFaddin (Mar. 8, 2008), Martin McConnell (Nov. 30, 2007), Mary Packer (Dec. 11, 2007), Shlomi Roz (Dec. 1, 2007), Stephen Salvadore (Jan. 8, 2008), Jay Saunders (Nov. 30, 2007), James Towne (Dec. 05, 2007). For the Court's benefit as an example of these filing, a true and correct copy of the FINRA concerning Samuel Gruer is attached as Exhibit Q.

Magda M. Jimenez